UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/Sub.2/1999/34
16 August 1999

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on the Promotion and
Protection of Human Rights
Fifty-first session
Item 12 (d) (i) of the provisional agenda

REVIEW OF FURTHER DEVELOPMENTS IN FIELDS WITH WHICH THE SUB-COMMISSION HAS BEEN OR MAY BE CONCERNED

OTHER NEW DEVELOPMENTS

ADVERSE CONSEQUENCES OF THE TRANSFER OF ARMS AND ILLICIT TRAFFICKING IN ARMS ON THE ENJOYMENT OF HUMAN RIGHTS

Letter dated 26 July 1999 from the Chargé d'affaires a.i. of the Permanent Mission of Azerbaijan to the United Nations Office at Geneva addressed to the secretariat of the fifty-first session of the Sub-Commission on the Promotion and Protection of Human Rights

I have the honour to transmit to you annexed herewith* information on illegal arms supplies to the Republic of Armenia.

I would be grateful if you could circulate the present letter and the above-mentioned information as an official document of the fifty-first session of the Sub-Commission on the Promotion and Protection of Human Rights under item 12 (d) (i) of the provisional agenda.

(Signed) M.-A. Mammedov
Chargé d'affaires a.i.

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* The annex is reproduced in Russian, as received, and in English only.

Illegal Deliveries of Weaponry to the Republic of Armenia

A broad section of the world community became aware in February 1997 of the fact that in 1994-1996 massive deliveries of Russian armaments were made, bypassing the President and Government of the Russian Federation, to the Republic of Armenia, which committed military aggression against the Azerbaijani Republic.

Armoured vehicles and Scud operational-tactical missiles were acquired by the Armenian side after the achievement by Azerbaijan of the ceasefire agreement of 12 May 1994 with the Republic of Armenia, an agreement which Azerbaijan is continuing to observe despite the continuing occupation of its territory by the Republic of Armenia.

The Statement made by the Ministry of Foreign Affairs of the Azerbaijani Republic on 21 February 1997 in connection with these issues drew the attention of the world community and the Government of the Russian Federation to the fact that illegal actions of this kind were counter to the United Nations Security Council resolutions and OSCE decisions on the Armenia-Azerbaijan conflict prohibiting military supplies to the States involved in the conflict. It was pointed out that the Russian armaments deliveries to Armenia violated the Agreement on Conventional Armed Forces in Europe. They undermined the authority of the Russian Federation as a mediator in the settlement of the conflict between Armenia and Azerbaijan.

In the time that has elapsed since the deliveries of Russian armaments to Armenia were brought to light, efforts have been made in the Russian Federation to investigate the matter. The Statement made by the Ministry of Foreign Affairs of the Azerbaijaini Republic on 14 March 1997 expressed the hope that the investigation would result in an appropriate legal and political assessment and, most importantly, that suitable measures would be taken for the removal and return of this military equipment from the Republic of Armenia.

On 17 September 1997 the Minister for Foreign Affairs of the Russian Federation made a statement on behalf of President Yeltsin setting out the Russian Federation's official point of view on the 1997 Treaty between the Russian Federation and the Republic of Armenia on Friendship, Cooperation and Mutual Assistance, which, amongst other things, contains articles both on military cooperation and on mutual assistance between the two States. It was emphasized in the statement that the Russian-Armenian treaty was not directed against Azerbaijan and would never be used to support those who opposed Azerbaijan's territorial integrity.

It was also said in the statement that the Russian authorities were on their guard since calls were being made mostly in Nagorny Karabakh, for settlement of the many years of Armenia-Azerbaijan conflict by military means.

The statement by the Ministry of Foreign Affairs of the Azerbaijani Republic on 19 September 1997 again emphasized that in drawing up the Russian-Armenian treaty no account had been taken of its possible negative consequences either for the process of peaceful political settlement of the armed conflict between Armenia and Azerbaijan or for bilateral relations between Azerbaijan and Russia. It also expressed the Ministry's hope that the obligations deriving from the Russian-Armenian treaty would not become fully effective before the achievement of a comprehensive settlement to the Armenian-Azerbaijani armed conflict, to include the liberation of all occupied territories belonging to the Azerbaijani Republic, the return of refugees and displaced persons to their places of permanent residence, and the normalization of relations between Azerbaijan and Armenia.

However, deliveries of armaments to Armenia are continuing, now in open and legal manner. Events have not borne out the declarations by the Russian authorities that Russia's military cooperation with Armenia was not directed against Azerbaijan. This may be seen from the steps taken by the Russian Federation and the Republic of Armenia for the implementation of the provisions of the Russia-Armenia treaty, which has been supplemented by more than 20 other agreements on military-political and military-technical cooperation.

This can likewise be seen in the results of the visit to Armenia on 14-15 June 1998 of the Russian Defence Minister, Mr. I. Sergeev, during which official announcements were made of: progress in agreeing plans for further military and military-technical cooperation, with specific time limits and

estimated costs for implementation; improvement of the functioning of the Russian military base in Armenia and its cooperation with the Armenian armed forces, including refinement of the unified air defence system, with plans to install S-300 anti-aircraft missile systems; plans to supply Armenia with modern military equipment, including the re-equipping of Russian military base 102; joint instruction, with the participation of the Russian and Armenian Ministers of Defence, at a military training ground in the Brevan area; and plans to strengthen the Russian military presence in Armenia.

The statement made by the Ministry of Foreign Affairs of the Azerbaijani Republic on 18 July 1998 regarding the results of the Russian Defence Minister's visit to Armenia noted that Azerbaijan was particularly concerned by the plans to reinforce the Russia-Armenia strategic military alliance, and described them as a serious threat to the peaceful process for rapid settlement of the Armenia-Azerbaijan conflict and to the security of the Azerbaijani Republic in general, and as detrimental to Russia's image as a mediator in the conflict.

On 29 July 1998 the head of the Main Directorate for International Military Cooperation of the Ministry of Defence of the Russian Federation, Colonel-General L. Ivashov, made a statement confirming the Russian military authorities' plans to embark on re-equipping Russia's military base 102 in Armenia, with a strengthening of operational coordination between the two State's armed forces as the main component.

The statement made by the Ministry of Foreign Affairs of the Azerbaijani Republic in connection with General Ivashov's speech noted that the frank and unambiguous declarations by a high-ranking Russian military officer increased Azerbaijan's misgivings about the aims of the new phase of Russian-Armenian military-political cooperation by raising that cooperation to a qualitatively different, strategic level.

The statement noted that this was the first Russian admission at such a high State level that all the previous and current deliveries of armaments to Armenia had one goal: to increase Armenia's military potential, ensuring its strategic military superiority over Azerbaijan. The continuation of deliveries of armaments to Armenia left no doubt as to the true plans of the

heads of the Russian Defence Ministry: to alter the military-strategic balance in the Armenian-Azerbaijani conflict zone and in the region as a whole to Armenia's benefit.

The Commander-in-Chief of the Russian Air Force, Colonel-General A. Kornukov, made a visit to Armenia on 15-16 December 1998 during which further agreements were reached on Russian-Armenian military cooperation. In particular, there was discussion of specific technical issues concerning the considerable reinforcement of military base 102 in Armenia, the formation there of a new air force unit, the continued improvement of the functioning of the unified air defence system, including its equipping with modern weaponry such as S-300 ground-to-air missile systems, and the permanent basing on Armenian territory of Russian MiG-29 aircraft. Baku likewise did not fail to notice the frank declarations by General Kornukov from which it may be concluded that the Russian-Armenian military grouping could be employed both against Turkey and against Azerbaijan.

The statement made by the Ministry of Foreign Affairs of the Azerbaijani Republic on 19 December 1998 in connection with General Kornukov's visit to Erevan and the new Russian-Armenian military agreements noted that Azerbaijan was following with concern the development of the military cooperation between Russia and Armenia and the expansion of the Russian military presence in Armenia and in the Southern Caucasus region generally and regarded it as a factor tension and not only unconducive, but an actual obstacle to the establishment of a climate of peace, stability and security in the wider Caspian and Black Sea political area.

Azerbaijan also regards the Russian-Armenian military cooperation and the Russian military presence in Armenia as a threat to its security in connection with the use of the Russian base to bolster the combat capabilities of the Armenian armed forces and with the past involvement of the base's military personnel in the Republic of Armenia's armed aggression against the Azerbaijani Republic.

Statements by Russian officials describe relations with Turkey and Iran as neighbourly and friendly and simultaneously claim that the Russian military base in Armenia is a restraining factor acting against potential threats to Russia from NATO. However, it is well known that NATO expansion is taking place to the west of the Russian Federation, thousands of kilometres from Armenia.

The intensification of Russian-Armenian military-strategic cooperation, the continuation of Russian military deliveries to Armenia, with the consequent unilateral growth in that country's military capacity, and the inaction of the tripartite commission for the settlement of the issue of armaments deliveries suggest that certain forces within the Russian Federation are succeeding in systematically and purposefully carrying out plans to arm Armenia, to the severe detriment of the peaceful resolution of the conflict between Armenia and Azerbaijan, the improvement of relations between Russia and Azerbaijan, and Russia's role as mediator in the conflict.